

06-05-00

Attorney Docket No.: P-1065A

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith for filing is the Continuation-in-part patent application under 37 C.F.R. §1.53(b) of:

Inventor(s):	David A. Wright and Daniel F. Voytas
For:	Plant Retroelements and Method Related Thereto

This application is a continuation in part to U.S. Patent Application Serial Number 09/322,478, which application was filed May 28, 1999, which application claimed priority to U.S. Provisional Patent Application Serial Number 60/087125, filed May 29, 1998.

The present invention was funded, in part, by the United States Department of Agriculture, Contract Number IOW03120; the United States Government may have certain rights in the invention.

Enclosed are:

- ☒ A copy of a Verified Statement claiming Small Entity Status (*Statement filed in prior application, Status still proper and desired*)
- ☒ A declaration and power of attorney (signed)
- ☒ A sequence listing on diskette, paper copy and affidavit
- ☐ An Information Disclosure Statement, 1449 form and copies of the references cited
- ☐ \_\_\_ sheet(s) of \_\_\_ Formal \_\_\_ Informal drawings
- ☒ 87 pages of specification and 25 claims
- ☒ A return postcard
- ☒ The filing fee is calculated as shown below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
Total Claims	<u>25</u> - 20 =	5	x \$18 ( 9) =	\$45.00
Independent Claims	<u>3</u> - 3 =	0	x \$78 (39) =	\$0.00
Multiple dependent claim(s) (if applicable)			+ \$260 (130) =	\$0.00
		Basic Fee (Small Entity)		\$345.00
		<b>TOTAL</b>		<b>\$390.00</b>

- ☒ A check in the amount of 390.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including patent application filing fees and processing fees under 37 C.F.R. §1.16 and 1.17, or credit any overpayment to: **Deposit Account Number 02-0725.**

Respectfully submitted,

Kristine H. Johnson  
Registration Number 36,835

Date: June 2, 2000

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Date of Deposit: June 2, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary A. Ashworth  
Printed Name

Mary A. Ashworth  
Signature

Docket No.

P-1065

Applicant or Patentee: David A. Wright & Daniel F. VoytasSerial or Patent No.: Filed HerewithFiled or Issued: May 28, 1999For: Plant Retroelements and Methods Related Thereto

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27(d))—NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the organization identified below:

NAME OF ORGANIZATION Iowa State University Research Foundation, Inc.  
ADDRESS OF ORGANIZATION 310 Lab of Mechanics, Ames, Iowa 50011-2131

**TYPE OF ORGANIZATION**

- ☐ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))  
☒ Nonprofit scientific or educational under statute of state of The United States of America  
     (Name of state Iowa)  
     (Citation of statute Iowa Code Sec. 504(a))  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) if located in  
     The United States of America  
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located  
     in The United State of America  
     (Name of state \_\_\_\_\_)  
     (Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35 United States Code with regard to the invention entitled Plant Retroelements and Methods Related Thereto by inventor(s) David Wright and Daniel Voytas described in

- ☒ the specification filed herewith.  
☐ the application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate, (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Kenneth Kirkland  
 TITLE OF PERSON OTHER THAN OWNER Executive Director  
 ADDRESS OF PERSON SIGNING 310 Lab of Mechanics, Iowa State University, Ames, IA 50011-2131  
 SIGNATURE K Kirkland Date 5/28/99

**COPY**